

AMENDMENT
U.S. Appln. No. 09/782,201

AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes a change to FIG. 2. The sheet replaces the original sheet (sheet 1 of 1) including FIGS. 1 and 2. In FIG. 2, the caption "PRIOR ART" has been added.

Attachment: Annotated Sheet Showing Changes
Replacement Sheet

REMARKS

Claims 1-5 and 7-8 are all the claims pending in the application.

Amended Claims 1 and 2 find support by, for example, the description at page 6, lines 18-20, of the specification.

No new matter has been added.

I. OBJECTION TO THE DRAWINGS

Referring to the second paragraph at page 2 of the Office Action, the examiner has objected to FIG. 2. Specifically, the examiner requests that FIG. 2 be amended to contain a legend, such as "Prior Art." According to the examiner, only that which is old is illustrated in FIG. 2.

In response, FIG. 2 has been amended by inserting therein the legend "Prior Art," which is supported by, for example, the description at page 4, lines 15-16, of the specification.

Withdrawal of the objection to FIG. 2 is requested.

II. REJECTION UNDER 35 U.S.C. § 102

Referring to pages 2 and 3 of the Office Action, Claim 2 is rejected under 35 U.S.C. § 102(b) as being anticipated by JP 63-249126 ("JP '126").

Claim 2 is an independent claim. It is drawn to a backside substrate. The backside substrate comprises a colored resin substrate which is formed of at least a mixture of a transparent resin and a colorant. The backside substrate also comprises a transparent electrically conductive film on at least one side of the colored resin substrate. Claim 2 recites that the backside substrate is attached to a visual side substrate having an electrode and a transparent resin. Claim 2 also recites that the colored resin substrate has a color such that a foreign substance mixed into the colored resin substrate becomes inconspicuous.

A claim is anticipated only if each and every element as set forth in the claim is found,

either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The identical invention must be shown in as complete detail as is contained in the claim. Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 2 is not anticipated by JP '126 at least for the reason that JP '126 does not disclose a colored resin substrate having a color such that a foreign substance mixed into the colored resin substrate becomes inconspicuous.

Withdrawal of the §102 rejection of Claim 2 is requested.

Furthermore, JP '126 does not render obvious the backside substrate of Claim 2.

In this regard, if the modification to the prior art proposed by the examiner would change the principle of operation of the prior art invention being modified, then the teachings of the reference are not sufficient to render the claims *prima facie* obvious. In re Ratti, 123 USPQ 349 (CCPA 1959). Similarly, the proposed modification to a prior art reference may not render the prior art invention being modified unsatisfactory for its intended purpose. In re Gordon, 221 USPQ 1125 (Fed. Cir. 1984).

JP '126 does not motivate one of ordinary skill in the art to arrive at a colored resin substrate having a color such that a foreign substance mixed into the colored resin substrate becomes inconspicuous, because modifying the invention of JP '126 in this manner would cause it to cease to work as designed.

For the examiner's convenience, a partial translation of JP '126 is being submitted herewith.

JP '126 may teach that a transparent resin substrate may be dyed to a colored-transparent state. However, in view of the locations of light reflecting plate 36 and polarizer 34b of the apparatus of JP '126, if transparent electrode 2b is dyed so as to have a color such that a foreign substance mixed into the colored resin substrate becomes inconspicuous, the display apparatus of JP '126 would not work as designed.

That is, although JP '126 may teach to dye a transparent resin substrate to be in a colored-transparent state, JP '126 does not teach dyeing a transparent resin substrate so that the colored resin substrate sufficiently absorbs an incident light and the light reflected by the backside of the substrate is reduced to an ignorable extent. Applicants refer to paragraph [0009] of the specification. In other words, JP '126 does not teach or suggest colorizing a transparent substrate so that foreign substances mixed into the transparent substrate become inconspicuous.

III. REJECTION UNDER 35 U.S.C. § 103

Referring to page 3 of the Office Action, Claims 3 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '126 in view of U.S. Patent No. 5,645,901 ("US '901").

Applicants respectfully traverse.

Each of Claims 3 and 5 depends from Claim 2. Claim 3 recites that the colored resin substrate is not thicker than 1 mm. Claim 5 recites that the colored resin substrate has a glass transition temperature of not lower than 90°C.

As stated at Section II of this Amendment, Claim 2 does not anticipate or render obvious the backside substrate of Claim 2. Furthermore, US '901 does not cure the deficiencies of JP '126. Accordingly, Applicants request the withdrawal of the §103 rejection of Claims 3 and 5.

IV. REJECTION UNDER 35 U.S.C. § 103

Referring to page 4 of the Office Action, Claims 1, 7, and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over FIG. 2 of the present application (APA FIG. 2) in view of JP '126 and U.S. Patent No. 6,335,774 ("US '774").

Applicants respectfully traverse.

Claim 1 is an independent claim. It is drawn to a liquid-crystal display device. The liquid-crystal display device of Claim 1 comprises a liquid-crystal panel. The liquid-crystal

panel of Claim 1 includes a back side substrate constituted by a colored resin substrate having an electrode. The liquid-crystal panel of Claim 1 also includes a visual side transparent substrate having a transparent electrode. The liquid-crystal panel of Claim 1 further includes a reflection type liquid-crystal layer interposed between the visual side substrate and the back side substrate.

Claim 1 recites that the colored resin substrate has a color such that a foreign substance mixed into the colored resin substrate becomes inconspicuous.

The examiner acknowledges that APA FIG. 2 teaches a backside substrate having a non-colored substrate in combination with a colored or light absorption layer 4, instead of the presently claimed colored resin substrate. The examiner asserts that it would have been obvious to modify APA FIG. 2 by reference to JP '126 and US '774. Thus, the examiner seems to take the position that the teachings of JP '126 and US '774 would have provided the motivation for a person of ordinary skill in the art to dye a transparent substrate or to employ a colored resin substrate.

For the reasons stated at Section II of this Amendment, Applicants respectfully disagree.

That is, JP '126 may teach that a transparent resin substrate may be dyed to a colored-transparent state. However, in view of the locations of light reflecting plate 36 and polarizer 34b of the apparatus of JP '126, if transparent electrode 2b is dyed so as to have a color such that a foreign substance mixed into the colored resin substrate becomes inconspicuous, the display apparatus of JP '126 would not work as designed. Thus, JP '126 cannot teach or suggest colorizing a transparent substrate so that foreign substances mixed into the transparent substrate become inconspicuous.

Furthermore, US '774 does not cure the deficiencies of APA FIG. 2 in view of JP '126 noted above.

As for Claims 7 and 8, each depends from Claim 1 and is patentable at least for the reasons that Claim 1 is patentable.

For the foregoing reasons, withdrawal of the §103 rejection of Claims 1 and 7-8 is

AMENDMENT
U.S. Appln. No. 09/782,201

requested.

V. REJECTION UNDER 35 U.S.C. § 103

Referring to page 5 of the Office Action, Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '126 in view of APA FIG. 2.

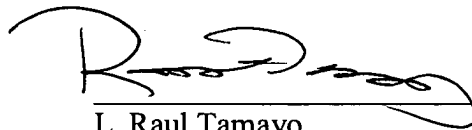
Claim 4 depends from Claim 2. As stated at Section II of this Amendment, Claim 2 does not anticipate or render obvious the backside substrate of Claim 2. Furthermore, APA FIG. 2 does not cure the deficiencies of JP '126. Accordingly, Applicants request the withdrawal of the §103 rejection of Claim 4.

VI. CONCLUSION

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



L. Raul Tamayo
Registration No. 47,125

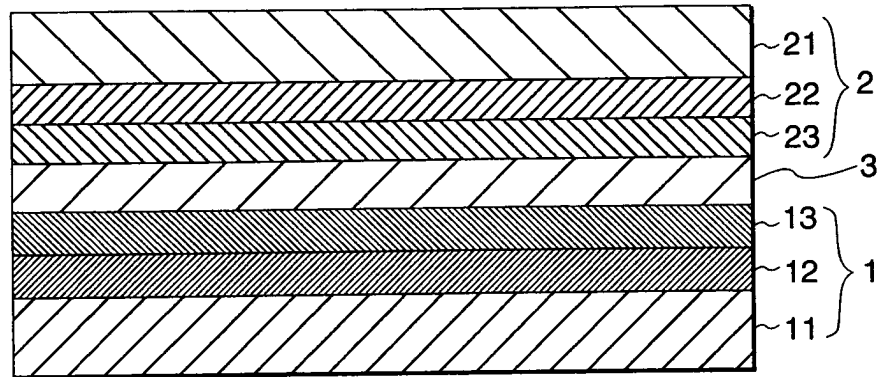
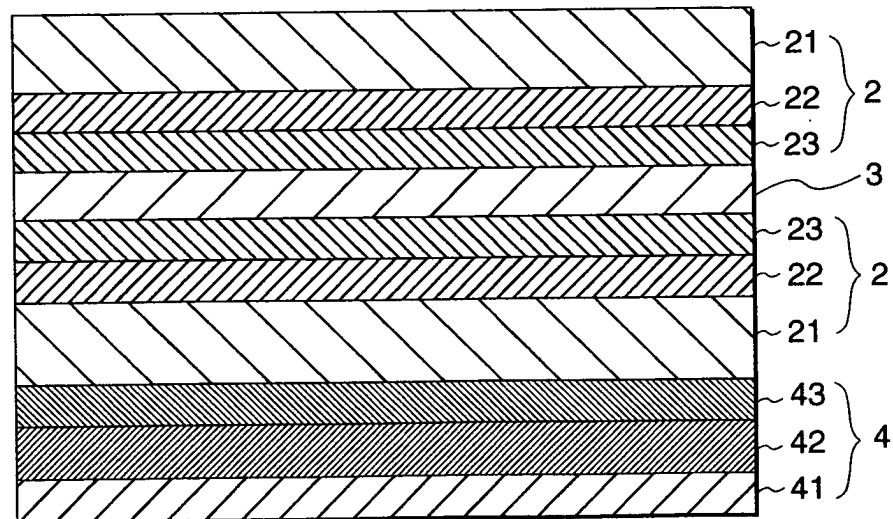
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 9, 2006

**FIG. 1****FIG. 2**

PRIOR ART